

**United States District Court
District of Massachusetts**

MATTHEW J. NATLE,

PLAINTIFF,

v.

CIVIL ACTION NO. 05-30066-MAP

**DENNIS O'CONNOR, STEVEN BARKER,
and DANIEL LEON-RESTO, Individually
and in their Official Capacity as a Police
Officers for the City of Springfield Police
Department, PAULA MEARA, in her
Official Capacity as Chief of the Springfield
Police Department, and THE CITY OF
SPRINGFIELD,**

DEFENDANTS.

MOTION TO BIFURCATE

BY

**DEFENDANTS CITY OF SPRINGFIELD, PAULA MEARA , DENNIS O'CONNOR,
STEVEN BARKER, and DANIEL LEON-RESTO
AND TO STAY MONELL DISCOVERY**

Now come the Defendants **CITY OF SPRINGFIELD, PAULA MEARA, DENNIS O'CONNOR, STEVEN BARKER, and DANIEL LEON-RESTO**, pursuant to Fed. R. Civ. P. 42, who hereby moves this Court to enter an Order bifurcating the *Monell v. Department of Social Services of the City of New York*, 436 U.S. 658 (1978) claim set forth in Count IX against the City of Springfield and Paula Meara from the claims against the individual Defendant officers.¹

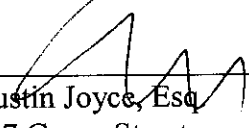
¹ The complaint alleges in the other counts: illegal arrest and imprisonment, excessive force, malicious prosecution, assault and battery conspiracy to violate civil rights, abuse of process, unlawful retaliation in violation of the first amendment to the United States Constitution and Massachusetts Declaration of Rights, reckless and/or intentional infliction of emotional distress, and negligence.

Further, discovery pertaining to the *Monell* claim against the City of Springfield, should be stayed until after the trial against the individual officers is concluded. Bifurcation is appropriate in this case to prevent the introduction of prejudicial evidence which may taint the case of one of the parties and is in the interests of judicial economy. In support thereof, the Defendant relies on the attached memorandum.

**THE DEFENDANTS,
DENNIS O'CONNOR, STEVEN
BARKER, DANIEL LEON-RESTO,
PAULA MEARA and CITY OF
SPRINGFIELD**

By, 

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CERTIFICATE OF SERVICE

Joann A. Antonio
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Amherst, MA 01004-3333

I, Edward M. Pikula, hereby certify that I caused the within document, to be served this date by mailing a copy, via first class mail, postage prepaid to the above referenced people on this date. Edward M. Pikula, Esq.

Date: September 27, 2005

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